Group I, claims 1-5 and 7, drawn to a method for diagnosing the presence of colon cancer and metastases, classified in class 435, subclass 40.51;

Group II, claims 6 and 7, drawn to a method of identifying potential therapeutic agents for use in imaging and treating colon cancer, classified in class 435, subclass 7.2;

Group III, claim 8, drawn to an antibody, classified in class 530, subclass 387.1;

Group IV, claims 9 and 10, drawn to a method of imaging colon cancer comprising administering an antibody, classified in class 424, subclass 179.1;

Group V, claim 11, drawn to a method of treating colon cancer comprising administering a molecule, classified in class 514, subclass 2; and

Group VI, claim 12, drawn to a method of inducing an immune response comprising delivering a CSG protein, classified in class 424, subclass 1.53.

The Examiner suggests that the invention are distinct, each from the other. Specifically, with respect to Groups I, II and IV-VI, the Examiner suggests that the method objectives, method steps and parameters, and reagents used differ. With respect to Group III, the Examiner has acknowledged its relationship to Groups I, II

and IV-VI as product and processes of use, but suggests that since Group III can be used in any one of the different methods of Groups I, II and IV-VI, it is distinct. Applicants respectfully traverse this rejection.

MPEP §803 provides two criteria which must be met for a restriction requirement to be proper. The first is that the inventions be independent or distinct. The second is that there would be a serious burden on the Examiner if the restriction is not required. A proper search of the prior art relating to the CSGs used in the diagnostic methods of Group I, should also reveal art relating to additional uses for these CSGs as set forth in Groups II and IV-IV as well as antibodies against these CSGs as set forth in Group III. Thus, it does not appear that a serious burden would be placed upon the Examiner if restriction were not made.

Accordingly, since this Restriction Requirement does not meet both criteria as set forth in MPEP § 803 to be proper, it is respectfully requested that this Restriction Requirement be withdrawn.

However, in an earnest effort to be completely responsive, Applicants elect to prosecute Group I, claims 1-5 and 7, with traverse.

Respectfully submitted,

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